

**OFFICIAL JOURNAL**  
OF THE  
**HOUSE OF**  
**REPRESENTATIVES**  
OF THE  
**STATE OF LOUISIANA**

**FIFTH DAY'S PROCEEDINGS**

**Thirty-third Extraordinary Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Thursday, November 10, 2005

The House of Representatives was called to order at 5:00 P.M., by the Honorable Joe R. Salter, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Odinot
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Beard	Harris	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hopkins	Smiley
Carter, K.	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth

Durand	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	Wright
Total - 105		
	ABSENT	

Total - 0

The Speaker announced that there were 105 members present and a quorum.

**Prayer**

Prayer was offered by Rep. McDonald.

**Pledge of Allegiance**

Rep. Cravins led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

**Reading of the Journal**

On motion of Rep. Frith, the reading of the Journal was dispensed with.

On motion of Rep. Bruce, the Journal of November 9, 2005, was adopted.

**Petitions, Memorials and  
Communications**

The following petitions, memorials, and communications were received and read:

**Message from the Senate**

**SENATE BILLS**

November 10, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill No. 1

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Suspension of the Rules**

On motion of Rep. Cravins, the rules were suspended in order to take up the bills contained in the message at this time.

**Senate Bills and Joint Resolutions  
on First Reading**

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

**SENATE BILL NO. 1—**

BY SENATORS AMEEDÉE, CHAISSON, FONTENOT, N. GAUTREAUX, SCHEDLER, ADLEY, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, B. GAUTREAUX, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, MALONE, MARIONNEAUX, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVE LAMBERT

AN ACT

To amend and reenact R.S. 15:542(A), (C)(2) and (F) and 545(A) and to enact R.S. 15:542(A)(4), relative to registration of sex offenders; to provide for enhanced penalties for failure to register as a sex offender; to provide for registration of offenders housed in emergency housing; to provide for re-

registration of sex offenders under certain circumstances; to provide for the police chief or police department to send written notices; and to provide for related matters.

Read by title.

**Introduction of Resolutions, House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

**HOUSE CONCURRENT RESOLUTION NO. 34—**

BY REPRESENTATIVE ODINET  
A CONCURRENT RESOLUTION

To memorialize the United States Congress and the Louisiana congressional delegation to direct the United States Army Corps of Engineers not to engage in dredging activities on the Mississippi River Gulf Outlet and to begin the necessary process to return the waterway to wetlands marsh status.

Read by title.

On motion of Rep. Odinet, and under a suspension of the rules, the above resolution was referred to the Committee on Transportation, Highways and Public Works, under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 35—**

BY REPRESENTATIVE FAUCHEUX  
A CONCURRENT RESOLUTION

To urge and request the motion picture industry to locate more productions in Louisiana to help ease the hardships faced due to Hurricanes Katrina and Rita and speed the recovery of Louisiana's economy.

Read by title.

On motion of Rep. Fauchaux, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

**Introduction of House Bills and Joint Resolutions**

The following named members introduced the following entitled House Bills and Joint Resolutions which were read the first time by their titles and placed upon the calendar for their second reading and, under a suspension of the rules, were referred to committee as follows:

**HOUSE BILL NO. 149—**

BY REPRESENTATIVE GRAY  
AN ACT

To enact R.S. 9:2554, relative to the removal and preservation of property by the lessor during certain emergency periods; to provide for the preservation of a tenant's property; to provide for liability of the lessor for failure to preserve salvageable property of the lessee; to provide for applicability; to provide for retroactive application; to provide for termination of provisions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

**HOUSE BILL NO. 150—**

BY REPRESENTATIVE M. POWELL  
A JOINT RESOLUTION

Proposing to add Article VII, Section 10.13 of the Constitution of Louisiana, relative to state funds; to create the Louisiana Deficit Reduction Fund in the state treasury; to provide for the deposit

of monies into the fund; to provide for the use of monies in the fund; to provide submission of the proposed amendment to the electors and provide a ballot proposition; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

**HOUSE BILL NO. 151—**

BY REPRESENTATIVES ALARIO AND SALTER  
AN ACT

To enact R.S. 39:94(C)(4) and (D), relative to the Budget Stabilization Fund; to provide for appropriations from the fund following certain declarations of disaster or emergency; to provide for deposits into the fund; to provide with respect to limitation of the fund balance; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

**HOUSE BILL NO. 152—**

BY REPRESENTATIVES ALARIO AND SALTER  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 10.3(C)(4) and to add Article VII, Section 10.3(C)(5), relative to the Budget Stabilization Fund; to provide for the balance of monies in the fund; to provide for appropriations from the fund; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

**HOUSE BILL NO. 153—**

BY REPRESENTATIVE HUNTER  
A JOINT RESOLUTION

Proposing to add Article VII, Section 10.3(C)(5) of the Constitution of Louisiana, relative to the Budget Stabilization Fund; to provide for the balance in the fund and for appropriation from the fund for certain fiscal years; to provide for an effective date; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

**HOUSE BILL NO. 154—**

BY REPRESENTATIVE HUNTER  
A JOINT RESOLUTION

Proposing to add Article VII, Section 10.3(C)(5) of the Constitution of Louisiana, relative to the Budget Stabilization Fund; to provide for the balance in the fund and for appropriation from the fund for certain fiscal years; to provide for an effective date; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

**HOUSE BILL NO. 155—**

BY REPRESENTATIVE HUNTER  
A JOINT RESOLUTION

Proposing to add Article VII, Section 10.1(E) of the Constitution of Louisiana, relative to state funds; to provide for appropriations from the Louisiana Education Quality Support Fund for certain

fiscal years; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

### Senate Concurrent Resolutions

The following Senate Concurrent Resolutions were taken up and acted upon as follows:

#### SENATE CONCURRENT RESOLUTION NO. 11—

BY SENATOR SMITH

##### A CONCURRENT RESOLUTION

To urge and request the Honorable Kathleen Babineaux Blanco, Governor, to appoint members to fill expired terms which exist on the Board of Supervisors of Community and Technical Colleges.

Read by title.

Under the rules, the above resolution was referred to the Committee on Education.

#### SENATE CONCURRENT RESOLUTION NO. 14—

BY SENATOR ADLEY

##### A CONCURRENT RESOLUTION

To urge and request the Federal Emergency Management Agency (FEMA), American Red Cross, the Salvation Army, and other entities to realign their districts to conform to each other in order to provide easier access by the public, and a more rapid response to national disasters.

Read by title.

Under the rules, the above resolution was referred to the Committee on Judiciary.

### House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

#### HOUSE BILL NO. 134—

BY REPRESENTATIVE HUNTER

##### A JOINT RESOLUTION

Proposing to add Article X, Section 31 of the Constitution of Louisiana, to provide that for purposes of qualifying for and holding office, a person shall not be considered to have vacated his domicile or residence if he was involuntarily displaced from his place of residence or domicile by the effects of a gubernatorially declared state of emergency; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Dorsey, the bill was returned to the calendar.

#### HOUSE BILL NO. 137—

BY REPRESENTATIVE ALARIO

##### AN ACT

To amend and reenact R.S. 49:213.7(A)(1) and (2)(introductory paragraph), (B)(1) and (2) (introductory paragraph), (C), (D), (E)(introductory paragraph), and (F), to enact R.S.

49:213.7(B)(3) and (E)(7), and to repeal Act 300 of the 2005 Regular Session, relative to the Wetlands Conservation and Restoration Fund; to change the name of the fund to the Coastal Protection and Restoration Fund; to provide relative to certain federal revenues to be credited and deposited to the fund; to provide relative to certain fund uses; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Dorsey, the bill was returned to the calendar.

### Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

#### SENATE BILL NO. 10—

BY SENATORS NEVERS AND MURRAY

##### AN ACT

To enact R.S. 23:1474(J), relative to unemployment compensation; to provide with respect to the maximum amount of wages on which contribution rates are assessed; to suspend the application of reductions in weekly benefit amounts payable to claimants; to provide for the state unemployment trust fund; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Labor and Industrial Relations.

#### SENATE BILL NO. 68—

BY SENATORS CHAISSON AND AMEDEE

##### AN ACT

To enact R.S. 29:732.1, relative to the crime of conducting business without required licenses and permits; to provide for exceptions; to provide for penalties; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

### House and House Concurrent Resolutions Reported by Committee

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

#### HOUSE CONCURRENT RESOLUTION NO. 13—

BY REPRESENTATIVE JEFFERSON

##### A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to develop and implement an age, grade, and geographically appropriate curriculum for disaster awareness education in all city, parish, and other local public school systems.

Read by title.

Reported favorably by the Committee on Education.

On motion of Rep. Crane, the resolution was ordered engrossed and passed to its third reading.

**HOUSE CONCURRENT RESOLUTION NO. 25—**

BY REPRESENTATIVE DORSEY

**A CONCURRENT RESOLUTION**

To urge and request the Department of Public Safety and Corrections to promulgate rules in accordance with the Administrative Procedure Act to establish a plan to be implemented in times of emergency with regard to convicted sex offenders who are on supervised probation or parole.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Concurrent Resolution No. 25 by Representative Dorsey

AMENDMENT NO. 1

On page 1, line 2, change "direct" to "urge and request"

AMENDMENT NO. 2

On page 2, at the beginning of line 22, change "direct" to "urge and request"

AMENDMENT NO. 3

On page 2, between lines 25 and 26, insert the following:

"BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby urge and request the Department of Public Safety and Corrections to promulgate such rules on or before June 1, 2006."

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the resolution, as amended, was ordered engrossed and passed to its third reading.

**House Bills and Joint Resolutions on Second Reading Reported by Committee**

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

**HOUSE BILL NO. 148 (Substitute for House Bill No. 64 by Representative Hammett)—**

BY REPRESENTATIVE ARNOLD

**AN ACT**

To amend and reenact R.S. 47:1993(D) and 2101(A)(1) and to enact R.S. 47:1978.1, relative to the assessment of land and property damaged or destroyed during a disaster or emergency declared by the governor; to provide for assessment procedures; to provide for filing dates of tax rolls for certain tax years; to provide for deadlines for payment of ad valorem taxes for certain tax years; and to provide for related matters.

Read by title.

On motion of Rep. Hammett, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**House Bills and Joint Resolutions on Third Reading and Final Passage**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

**Regular Calendar**

**HOUSE BILL NO. 8—**

BY REPRESENTATIVES ODINET, BEARD, DANIEL, DARTEZ, FRITH, GEYMAN, ST. GERMAIN, AND WOOTON AND SENATOR N. GAUTREAU

**AN ACT**

To provide for an extended period of time for renewal or extension of oyster leases expiring on January 1, 2006; to provide relative to terms of lease renewals or extensions; to provide for the 2006 due date for annual rent for oyster leases; and to provide for the 2006 dates for determination and advertisement of defaulted oyster leases; to suspend Section 501(G)(3) of Chapter 5 of Part VII of Title 76 of the Louisiana Administrative Code relative to public auction of leases in default; and to provide for related matters.

Read by title.

Rep. Odinet moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Frith	Morrish
Alario	Gallot	Odinet
Alexander	Geymann	Pierre
Ansardi	Glover	Pinac
Arnold	Gray	Pitre
Badon	Greene	Powell, M.
Baldone	Guillory, E.	Powell, T.
Barrow	Guillory, M.	Quezaire
Baudoin	Hammett	Richmond
Baylor	Harris	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Erdey	Martiny	White
Fannin	McDonald	Winston
Farrar	McVea	Wooton
Faucheux	Montgomery	Wright
Total - 102		

**NAYS**

Total - 0

ABSENT

Dartez Durand Morrell  
Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Odinet moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 19—**  
BY REPRESENTATIVE CRANE  
AN ACT

To amend and reenact R.S. 17:24.10(C)(4), relative to LA 4 class ratio requirements; to provide for the applicability of provisions relative to the requirements for student to lead teacher and student to adult staff member ratios for LA 4 classes; to provide for the State Board of Elementary and Secondary Education to adopt rules relative to the ratios required for LA 4 classes; to provide for effectiveness; and to provide for related matters.

Read by title.

Rep. Crane moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Pierre
Alario	Frith	Pinac
Alexander	Gallot	Pitre
Ansardi	Geymann	Powell, M.
Arnold	Glover	Powell, T.
Badon	Gray	Quezaire
Baldone	Greene	Richmond
Barrow	Guillory, E.	Ritchie
Baudoin	Guillory, M.	Robideaux
Baylor	Harris	Romero
Beard	Heaton	Scalise
Bowler	Hill	Schneider
Bruce	Honey	Smiley
Bruneau	Hopkins	Smith, G.
Burns	Hunter	Smith, J.D.—50th
Carter, K.	Hutter	Smith, J.H.—8th
Carter, R.	Jackson	Smith, J.R.—30th
Cazayoux	Jefferson	St. Germain
Crane	Johns	Strain
Cravins	Katz	Thompson
Crowe	Kennard	Toomy
Damico	Kenney	Townsend
Daniel	Kleckley	Trahan
DeWitt	LaBruzzo	Triche
Doerge	LaFleur	Tucker
Dorsey	Lambert	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrish	Wooton
Farrar	Odinet	Wright
Total - 96		

NAYS

Curtis LaFonta Marchand  
Total - 3

ABSENT

Burrell Hammett Lancaster  
Dartez Hebert Morrell  
Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Crane moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Suspension of the Rules**

On joint motion of Reps. Curtis, LaFonta, and Marchand, and under a suspension of the rules, the above roll call was corrected to reflect them as voting nay.

**HOUSE BILL NO. 20—**  
BY REPRESENTATIVE CRANE  
AN ACT

To amend and reenact R.S. 17:88(A) and (C) and to enact R.S. 17:88(F), relative to the required dates for adoption and submission of school board budgets; to provide for the applicability of provisions relative to the required dates for school boards to adopt budgets and submit such budgets to the state superintendent of education; to provide for the State Board of Elementary and Secondary Education to adopt rules relative to the adoption and submission of such budgets; to provide for effectiveness; and to provide for related matters.

Read by title.

Rep. Crane moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Odinet
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Barrow	Greene	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Harris	Robideaux
Bowler	Heaton	Romero
Bruneau	Hebert	Scalise
Burns	Hill	Schneider
Burrell	Honey	Smiley
Carter, K.	Hopkins	Smith, G.
Carter, R.	Hunter	Smith, J.D.—50th
Cazayoux	Hutter	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Damico	Kennard	Thompson
Daniel	Kenney	Toomy
Dartez	Kleckley	Townsend
DeWitt	LaBruzzo	Trahan
Doerge	LaFleur	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Martiny	Walsworth

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Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrish	Wright
Total - 96		
NAYS		
Curtis	LaFonta	Marchand
Total - 3		
ABSENT		
Arnold	Hammett	Morrell
Bruce	Jackson	Triche
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Crane moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Suspension of the Rules**

On joint motion of Reps. Curtis, LaFonta, and Marchand, and under a suspension of the rules, the above roll call was corrected to reflect them as voting nay.

**HOUSE BILL NO. 21—**  
BY REPRESENTATIVE CRANE  
AN ACT

To amend and reenact R.S. 17:236, relative to the requirement for a minimum school session; to provide for the applicability of the requirement for a minimum school session of not less than one hundred eighty days for school classification purposes; to provide for the State Board of Elementary and Secondary Education to adopt rules relative to the minimum school session; to provide for effectiveness; and to provide for related matters.

Read by title.

Rep. Crane moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Farrar	Morrish
Alario	Faucheux	Odinet
Alexander	Frith	Pierre
Ansardi	Geymann	Pitre
Arnold	Glover	Powell, M.
Badon	Gray	Powell, T.
Baldone	Greene	Quezaire
Barrow	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Baylor	Hammett	Robideaux
Beard	Harris	Romero
Bowler	Heaton	Scalise
Bruce	Hebert	Schneider
Bruneau	Hill	Smiley
Burns	Honey	Smith, G.
Burrell	Hopkins	Smith, J.D.—50th
Carter, K.	Hunter	Smith, J.H.—8th
Carter, R.	Hutter	Smith, J.R.—30th
Cazayoux	Jackson	St. Germain
Crane	Jefferson	Strain

Cravins	Johns	Thompson
Crowe	Katz	Toomy
Damico	Kennard	Townsend
Daniel	Kenney	Trahan
Dartez	Kleckley	Triche
DeWitt	LaBruzzo	Tucker
Doerge	LaFleur	Waddell
Dorsey	Lambert	Walker
Dove	Lancaster	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Total - 99		

**NAYS**

Curtis	LaFonta	Marchand
Total - 3		
ABSENT		

Gallot	Morrell	Pinac
Total - 3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Crane moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Suspension of the Rules**

On joint motion of Reps. Curtis, LaFonta, and Marchand, and under a suspension of the rules, the above roll call was corrected to reflect them as voting nay.

**Suspension of the Rules**

On motion of Rep. Harris, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

**HOUSE BILL NO. 22—**  
BY REPRESENTATIVE CRANE  
AN ACT

To amend and reenact R.S. 17:2112(A)(1) and to enact R.S. 17:2112(C), relative to the required time lines for conducting sight and hearing tests for certain pupils; to provide for the applicability of the requirement for testing the sight and hearing of pupils within thirty days after the admission of any pupils entering school late in the session; to provide for the State Board of Elementary and Secondary Education to adopt rules relative to such requirement; to provide for effectiveness; and to provide for related matters.

Read by title.

Rep. Crane moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre

Arnold	Glover	Powell, M.
Badon	Gray	Powell, T.
Baldone	Greene	Richmond
Barrow	Guillory, E.	Ritchie
Baudoin	Guillory, M.	Robideaux
Baylor	Hammett	Romero
Beard	Harris	Scalise
Bowler	Heaton	Schneider
Bruce	Hebert	Smiley
Bruneau	Hill	Smith, G.
Burns	Honey	Smith, J.D.—50th
Burrell	Hopkins	Smith, J.H.—8th
Carter, K.	Hunter	Smith, J.R.—30th
Carter, R.	Hutter	St. Germain
Cazayoux	Jackson	Strain
Crane	Jefferson	Thompson
Cravins	Johns	Toomy
Crowe	Katz	Townsend
Damico	Kennard	Trahan
Dartez	Kenney	Triche
DeWitt	Kleckley	Tucker
Doerge	LaBruzzo	Waddell
Dorsey	LaFleur	Walker
Dove	Lambert	Walsworth
Downs	Lancaster	White
Durand	Martiny	Winston
Erdey	McDonald	Wooton
Fannin	McVea	Wright
Farrar	Montgomery	
Total - 98		

NAYS

Curtis	LaFonta	Marchand
Total - 3		

ABSENT

Daniel	Odinet
Morrell	Quezaire
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Crane moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Suspension of the Rules**

On joint motion of Reps. Curtis, LaFonta, and Marchand, and under a suspension of the rules, the above roll call was corrected to reflect them as voting nay.

**HOUSE BILL NO. 26—**  
BY REPRESENTATIVES CRAVINS, BRUCE, AND JANE SMITH AND SENATOR N. GAUTREAU

AN ACT

To amend and reenact R.S. 15:542(C)(2)(a) and (b) and (F)(1), relative to penalties for failure to register as a sex offender; to provide that penalties for failure to register as a sex offender shall apply to sex offenders who fail to notify appropriate law enforcement officials when they are temporarily displaced from their residence due to an evacuation order or declaration of an emergency; to amend the criminal penalties for a first conviction of failure to register as a sex offender; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Cravins, the bill was returned to the calendar.

**HOUSE BILL NO. 33—**  
BY REPRESENTATIVE CRANE  
AN ACT

To amend and reenact R.S. 17:154.3 and to enact R.S. 17:154.1(A)(5), relative to minimum requirements for instructional time; to provide for applicability of such requirements including the required number of certain work days per school year under specified circumstances; to provide for certification by the state superintendent of education relative to the applicability of the minimum requirements for instructional time for certain public schools and school systems; to provide for rules and regulations adopted by the State Board of Elementary and Secondary Education relative to all such applicability; to provide for effectiveness; and to provide for related matters.

Read by title.

Rep. Crane moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pinac
Alario	Geymann	Pitre
Alexander	Glover	Powell, M.
Ansardi	Greene	Powell, T.
Arnold	Guillory, E.	Quezaire
Baldone	Guillory, M.	Ritchie
Baudoin	Hammett	Robideaux
Beard	Heaton	Scalise
Bowler	Hebert	Schneider
Bruce	Hill	Smiley
Bruneau	Honey	Smith, G.
Burns	Hopkins	Smith, J.D.—50th
Carter, R.	Hunter	Smith, J.H.—8th
Cazayoux	Hutter	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrish	Wooton
Farrar	Odinet	Wright
Faucheux	Pierre	
Total - 89		

NAYS

Badon	Curtis	LaFonta
Barrow	Gallot	Marchand
Baylor	Gray	Richmond
Burrell	Jackson	Romero
Carter, K.	Jefferson	
Total - 14		

ABSENT

Harris	Morrell
Total - 2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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Rep. Crane moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 34—

BY REPRESENTATIVES ALARIO, HAMMETT, ODINET, BALDONE, CURTIS, FAUCHEUX, HEATON, HILL, HONEY, KENNEY, AND TOWNSEND

A JOINT RESOLUTION

Proposing to add Article VII, Sections 18(G)(5) and 20(A)(10) of the Constitution of Louisiana, relative to the homestead exemption and special assessment level where the homestead has been destroyed or is uninhabitable due to a disaster or emergency; to provide for claiming and keeping the homestead exemption and special assessment levels; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Rep. Arnold sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Arnold to Engrossed House Bill No. 34 by Representative Alario

AMENDMENT NO. 1

On page 2, line 23, after "filing an" and before "affidavit" insert "annual"

On motion of Rep. Arnold, the amendments were adopted.

Rep. Arnold moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS' in three columns: Mr. Speaker, Frith, Morrish, Alario, Gallot, Odinet, Alexander, Geymann, Pierre, Ansardi, Glover, Pinac, Arnold, Gray, Pitre, Badon, Greene, Powell, M., Baldone, Guillory, E., Powell, T., Barrow, Guillory, M., Quezaire, Baudoin, Hammett, Richmond, Baylor, Harris, Ritchie, Bowler, Heaton, Robideaux, Bruce, Hebert, Romero, Bruneau, Hill, Scalise, Burns, Honey, Schneider, Burrell, Hopkins, Smiley, Carter, K., Hunter, Smith, G., Carter, R., Hutter, Smith, J.D.-50th, Cazayoux, Jefferson, Smith, J.H.-8th, Crane, Johns, Smith, J.R.-30th, Cravins, Kennard, St. Germain, Crowe, Kenney, Strain, Curtis, Kleckley, Thompson, Damico, LaBruzzo, Toomy, Dartez, LaFleur, Townsend, DeWitt, LaFonta, Trahan, Doerge, Lambert, Triche, Dorsey, Lancaster, Tucker, Dove, Marchand, Waddell, Downs, Martiny, Walker

Table listing names of representatives who voted 'NAYS' in three columns: Erdey, McDonald, White, Fannin, McVea, Winston, Farrar, Montgomery, Wooton, Faucheux, Morrell, Wright, Total - 99

NAYS

Table listing names of representatives who were 'ABSENT' in two columns: Daniel, Katz, Jackson, Walsworth, Total - 4

ABSENT

Table listing names of representatives who were 'ABSENT' in two columns: Beard, Durand, Total - 2

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 35—

BY REPRESENTATIVES ARNOLD, BALDONE, HEATON, KENNEY, ODINET, AND TOWNSEND AND SENATOR MURRAY

AN ACT

To amend and reenact R.S. 47:1987(A), relative to assessment procedure; to provide for a change of the time and date when the assessor of Orleans Parish has to complete the work on preparing and making up the assessment lists; to provide for additional time to reassess and prepare the tax rolls for 2006 in Orleans Parish; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Arnold moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS' in three columns: Mr. Speaker, Faucheux, Morrell, Alario, Frith, Morrish, Alexander, Gallot, Odinet, Ansardi, Geymann, Pierre, Arnold, Glover, Pinac, Badon, Gray, Pitre, Baldone, Greene, Powell, M., Barrow, Guillory, E., Powell, T., Baudoin, Guillory, M., Quezaire, Baylor, Hammett, Richmond, Beard, Harris, Ritchie, Bowler, Heaton, Robideaux, Bruce, Hebert, Romero, Bruneau, Hill, Scalise, Burns, Honey, Schneider, Burrell, Hopkins, Smiley, Carter, K., Hunter, Smith, G., Carter, R., Hutter, Smith, J.D.-50th, Cazayoux, Jackson, Smith, J.H.-8th, Crane, Jefferson, Smith, J.R.-30th, Cravins, Johns, St. Germain, Crowe, Katz, Strain, Curtis, Kennard, Thompson, Damico, Kenney, Toomy, Daniel, Kleckley, Townsend

Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	Wright

Total - 105

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 44—**

BY REPRESENTATIVES HAMMETT, PINAC, BALDONE, CURTIS, HEATON, HILL, HONEY, KENNEY, ODINET, AND TOWNSEND  
AN ACT

To amend and reenact R.S. 47:2106, relative to the deferment of ad valorem tax payments where property subject to ad valorem taxation has been damaged or destroyed during a gubernatorially declared disaster or emergency; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Arnold moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morrish
Alario	Gallot	Odinet
Alexander	Geymann	Pierre
Ansardi	Glover	Pinac
Arnold	Gray	Pitre
Badon	Greene	Powell, M.
Baldone	Guillory, E.	Powell, T.
Barrow	Guillory, M.	Quezaire
Baudoin	Hammett	Richmond
Baylor	Harris	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan

DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walsworth
Downs	Marchand	White
Durand	Martiny	Winston
Erdey	McDonald	Wooton
Fannin	McVea	Wright
Farrar	Montgomery	
Faucheux	Morrell	

Total - 103

NAYS

Total - 0

ABSENT

Crowe Walker

Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 46—**

BY REPRESENTATIVES HAMMETT, PINAC, BALDONE, CURTIS, FAUCHEUX, HEATON, HILL, HONEY, KENNEY, ODINET, AND TOWNSEND  
AN ACT

To enact R.S. 47:1703(E), relative to the homestead exemption; to provide for an extension of the homestead exemption when property is damaged or destroyed during a disaster or emergency declared by the governor; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Arnold sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Arnold to Engrossed House Bill No. 46 by Representative Hammett

AMENDMENT NO. 1

On page 1, line 15, after "an" and before "affidavit" insert "annual"

On motion of Rep. Arnold, the amendments were adopted.

Rep. Arnold moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinet
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie

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Beard	Harris	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Smiley
Burrell	Hopkins	Smith, G.
Carter, K.	Hunter	Smith, J.D.-50th
Carter, R.	Hutter	Smith, J.H.-8th
Cazayoux	Jefferson	Smith, J.R.-30th
Crane	Johns	St. Germain
Cravins	Kennard	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrell	Wright

Total - 102

NAYS

Daniel	Jackson	Katz
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Total - 3

ABSENT

Total - 0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 56—**  
BY REPRESENTATIVES PINAC, MARTINY, JOHNS, AND HEATON  
AN ACT

To enact R.S. 27:354.1, relative to slot machine gaming at live horse racing facilities; to provide relative to the required number of live racing days; to provide for the authority of the Louisiana State Racing Commission to approve additional races or race days and locations, transfer proceeds and purse supplements, all as made necessary by damage to existing facilities due to a disaster, emergency, or force majeure, or other such occurrence; and to provide for related matters.

Read by title.

Rep. Martiny sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Pinac to Engrossed House Bill No. 56 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete the remainder of the line and insert "R.S. 4:147.1, relative to live horse racing; to"

AMENDMENT NO. 2

On page 1, line 7, after "occurrence;" and before "and" insert "to provide for definitions;"

AMENDMENT NO. 3

On page 1, line 9, change "R.S. 27:354.1" to "R.S. 4:147.1"

AMENDMENT NO. 4

On page 1, delete line 10, and insert the following: "§147.1. Commission; purse supplements; additional or substitute races and race days; force majeure"

AMENDMENT NO. 5

On page 1, line 11, after "Section," delete the remainder of the line and delete line 12 in its entirety and insert in lieu thereof: "eligible facility" has the same meaning as that term defined in R.S. 27:353(4)."

AMENDMENT NO. 6

On page 2, line 3, after "operations" and before "at" insert "and those other monies received which are dedicated by law to purses"

On motion of Rep. Martiny, the amendments were adopted.

Rep. Martiny moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Morrish
Alario	Glover	Odinet
Ansardi	Gray	Pierre
Arnold	Guillory, E.	Pinac
Badon	Guillory, M.	Pitre
Baldone	Hammett	Powell, T.
Barrow	Harris	Quezaire
Baylor	Heaton	Richmond
Bowler	Hebert	Ritchie
Bruce	Hill	Robideaux
Bruneau	Honey	Romero
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Cazayoux	Hutter	Smith, J.D.-50th
Cravins	Jackson	Smith, J.H.-8th
Curtis	Jefferson	Smith, J.R.-30th
Damico	Johns	St. Germain
Daniel	Kleckley	Strain
Dartez	LaFleur	Toomy
DeWitt	LaFonta	Townsend
Doerge	Lambert	Trahan
Dorsey	Lancaster	Triche
Dove	Marchand	Walker
Durand	Martiny	Winston
Faucheux	Montgomery	Wooton
Frith	Morrell	

Total - 77

NAYS

Alexander	Geymann	Schneider
Baudoin	Katz	Thompson
Beard	Kennard	Tucker
Carter, K.	Kenney	Waddell
Crane	LaBruzzo	Walsworth
Crowe	McDonald	White
Erdey	McVea	Wright
Fannin	Powell, M.	
Farrar	Scalise	

Total - 25

**ABSENT**

Carter, R.                      Downs                      Greene  
 Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Suspension of the Rules**

On joint motion of Reps. Erdey, LaBruzzo, and Thompson, and under a suspension of the rules, the above roll call was corrected to reflect them as voting nay.

**HOUSE BILL NO. 65—**

BY REPRESENTATIVES HAMMETT, PINAC, BALDONE, CURTIS, GALLOT, E. GUILLORY, HEATON, KENNEY, ODINET, AND TOWNSEND AND SENATORS FIELDS, MCPHERSON, AND MURRAY  
 AN ACT

To amend and reenact R.S. 47:1992(F)(1) and (G), 2101(A)(2) and (3), 2171(A)(introductory paragraph), 2180(A)(1)(a), and 2180.1(A) and to enact R.S. 47:1997(C), relative to assessment of immovable and movable property for tax year 2005 and for tax year 2006 in Orleans Parish; to change time periods for public inspection of assessment rolls; to change assessment deadlines; to change ad valorem tax collection procedures and deadline; and to provide for related matters.

Read by title.

Rep. Arnold sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Arnold to Engrossed House Bill No. 65 by Representative Hammett

**AMENDMENT NO. 1**

On page 2, line 26, after "before the" delete the remainder of the line and insert "thirtieth day of April"

On motion of Rep. Arnold, the amendments were adopted.

Rep. Arnold moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Frith	Morrish
Alario	Gallot	Odinet
Alexander	Geymann	Pierre
Ansardi	Glover	Pinac
Arnold	Gray	Pitre
Badon	Greene	Powell, M.
Baldone	Guillory, E.	Powell, T.
Barrow	Guillory, M.	Quezaire
Baudoin	Hammett	Richmond
Baylor	Harris	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise

Bruneau	Honey	Schneider
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Waddell
Dorsey	Lambert	Walker
Dove	Lancaster	Walsworth
Downs	Marchand	White
Durand	Martiny	Winston
Erdey	McDonald	Wooton
Fannin	McVea	Wright
Farrar	Montgomery	
Faucheux	Morrell	

Total - 103

**NAYS**

Total - 0

**ABSENT**

Daniel                      Tucker  
 Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 67—**

BY REPRESENTATIVE ALARIO  
 AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for the 2005-2006 Fiscal Year; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Alario, the bill was returned to the calendar.

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Alario gave notice of his intention to call House Bill No. 67 from the calendar for future action.

**HOUSE BILL NO. 68—**

BY REPRESENTATIVE ALARIO  
 AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 for deposit into certain special treasury funds; to provide for the deposit of certain nonrecurring revenues into the State Disaster or Emergency Relief Fund.

Read by title.

Motion

On motion of Rep. Alario, the bill was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Alario gave notice of his intention to call House Bill No. 68 from the calendar for future action.

HOUSE BILL NO. 73—

BY REPRESENTATIVES MARTINY, LAFLEUR, TOWNSEND, CAZAYOUX, CRAVINS, GALLOT, AND HEATON AND SENATOR CHAISSON

AN ACT

To enact Title XXXIII of the Louisiana Code of Criminal Procedure, to be comprised of Louisiana Code of Criminal Procedure Articles 941 through 956, relative to criminal procedure; to provide for emergency sessions of criminal court; to provide for definitions; to provide for applicability; to provide for criminal jurisdiction and venue in emergency sessions of court; to provide for venue for habeas corpus proceedings in certain circumstances; to provide for criteria for emergency sessions of court; to provide for the power and authority of the court conducting emergency sessions; to provide for legislative findings; to provide for powers, duties, and authority of the sheriff operating in emergency sessions of court; to provide for the powers, duties, and authority of the clerk of court of an affected court conducting emergency sessions; to provide for the authority of the indigent defender board of the affected court conducting emergency sessions of court; to provide with respect to the summoning of a criminal jury pool; to provide for the suspension of certain time periods, limitations, and delays in the affected court; to provide for exceptions; to provide for appeals and the application of supervisory writs from a judgment or ruling of an affected court conducting emergency sessions of court; to provide for preemption of conflicting provisions of law; to provide for the court costs, fees, and fines assessed or taxed and collected by the affected court conducting emergency sessions of court; and to provide for related matters.

Read by title.

Rep. Cravins sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Cravins and Martiny to Engrossed House Bill No. 73 by Representative Martiny

AMENDMENT NO. 1

On page 7, delete lines 6 and 7 in their entirety and insert in lieu thereof the following:

"A. Upon motion by the district attorney and after a contradictory hearing, the court may summon jurors from the host jurisdiction. The district attorney must show that the interests of justice are served by the approval of such motion."

Rep. Cravins moved the adoption of the amendments.

Rep. Morrell objected.

By a vote of 100 yeas and 2 nays, the amendments were adopted.

Rep. Martiny moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members who voted 'YEAS' in two columns. Includes Mr. Speaker, Alario, Alexander, Ansardi, Arnold, Badon, Baldone, Barrow, Baudoin, Baylor, Beard, Bowler, Bruce, Bruneau, Burns, Burrell, Carter, K., Carter, R., Cazayoux, Crane, Cravins, Crowe, Damico, Daniel, Dartez, DeWitt, Doerge, Dorsey, Dove, Downs, Durand, Erdy, and McDonald.

Total - 96

NAYS

Table listing names of members who voted 'NAYS': Curtis, LaFonta, Marchand, Morrell, Quezaire, and Richmond.

Total - 8

ABSENT

Frith
Total - 1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 78—

BY REPRESENTATIVES MARTINY, PINAC, JOHNS, AND HEATON
AN ACT

To amend and reenact R.S. 27:353(4) and 354, relative to slot machine gaming at live horse racing facilities; to amend the definition of an eligible facility to provide that the Louisiana State Racing Commission can approve less than eighty days within a twenty-week period in certain emergencies or disasters or other such occurrences; to provide for the effect of this determination; to provide relative to the powers and authority of the Louisiana State Racing Commission; and to provide for related matters.

Read by title.

Rep. Martiny sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Martiny to Engrossed House Bill No. 78 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 2, after "353(4)" and before "relative" delete "and 354," and insert "354, and 361(B)(4)(a)(i) and (ii) and to enact R.S. 4:147.2,"

AMENDMENT NO. 2

On page 1, line 10, after "R.S. 27:353(4)" and before "are" delete "and 354" and insert "354, and 361(B)(4)(a)(i) and (ii)"

AMENDMENT NO. 3

On page 2, at the end of line 14, delete the "," and insert a period "."

AMENDMENT NO. 4

On page 2, delete lines 15 through 19 in their entirety and insert the following:

\* \* \*

§361. Conduct of slot machine gaming; temporary conduct

\* \* \*

B. As a condition of licensing and to maintain continued authority for the conduct of slot machine gaming at the licensed eligible facility, the owner of the licensed eligible facility shall:

\* \* \*

(4) Contribute to the support of pari-mutuel wagering facilities in the state at large and the horse breeding industry by paying annually from the annual net slot machine proceeds received from slot machine gaming operations at the licensed eligible facility as provided in this Paragraph:

(a) The licensed eligible facility shall pay a fixed percentage of fifteen percent of the annual net slot machine proceeds received from slot machine gaming operations at the licensed eligible facility to supplement purses as follows:

(i) Seventy percent to supplement purses for thoroughbred races at that facility or any facility licensed by the Louisiana State Racing Commission to conduct additional or substitute races or race days as authorized by R.S. 4:147.1, thirty percent of which shall be for Louisiana-bred thoroughbred horses. Four percent of this amount shall go to the Horsemen's Benevolent and Protective Association in accordance with law.

(ii) Thirty percent to supplement purses for quarter horse races at that facility or any facility licensed by the Louisiana State Racing Commission to conduct additional or substitute races or race days as authorized by R.S. 4:147.1, sixty percent of which shall be for Louisiana-bred quarter horses. Four percent of this amount shall go to the Horsemen's Benevolent and Protective Association in accordance with law.

\* \* \*

Section 2. R.S. 4:147.2 is hereby enacted to read as follows:

§147.2. Additional powers of commission; force majeure

The powers of the commission shall include but not be limited to the discretion to approve the conduct of less than eighty days within a consecutive twenty-week period or a different consecutive or nonconsecutive period, whenever an eligible facility is prevented from live racing as a result of a natural disaster, an act of God, force majeure, a catastrophe, or such other occurrence over which the licensee has no control.

On motion of Rep. Martiny, the amendments were adopted.

Rep. Martiny moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Frith	Morrell
Alario	Gallot	Morrish
Ansardi	Glover	Odinot
Arnold	Gray	Pierre
Badon	Guillory, E.	Quezaire
Baldone	Guillory, M.	Richmond
Barrow	Hammett	Ritchie
Baylor	Harris	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Smith, G.
Bruneau	Honey	Smith, J.D.-50th
Burrell	Hopkins	Smith, J.R.-30th
Cazayoux	Hunter	St. Germain
Crane	Hutter	Strain
Cravins	Jefferson	Toomy
Damico	Johns	Townsend
Dartez	Kennard	Trahan
DeWitt	LaFleur	Triche
Doerge	Lancaster	Walker
Dorsey	Martiny	Winston
Durand	McVea	Wooton
Faucheux	Montgomery	
Total - 65		

**NAYS**

Alexander	Greene	Powell, T.
Baudoin	Hill	Scalise
Beard	Jackson	Schneider
Burns	Katz	Smiley
Carter, K.	Kenney	Smith, J.H.-8th
Carter, R.	Kleckley	Thompson
Crowe	LaBruzzo	Tucker
Curtis	LaFonta	Waddell
Daniel	Lambert	Walsworth
Dove	Marchand	White
Erdey	McDonald	Wright
Fannin	Pitre	
Farrar	Powell, M.	
Total - 37		

**ABSENT**

Downs	Geymann	Pinac
Total - 3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Suspension of the Rules**

On motion of Rep. Elcie Guillory, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

**HOUSE BILL NO. 81—**

BY REPRESENTATIVES ARNOLD, BALDONE, HEATON, ODINET, TOWNSEND, AND TUCKER

**AN ACT**

To enact R.S. 39:1034.1, relative to the Board of Liquidation, City Debt, for the city of New Orleans; to prohibit increases in millage rates for the year 2006, under certain circumstances and the collection of taxes based upon such millage rates; and to provide for related matters.

Read by title.

Rep. Arnold moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Odinet
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Beard	Harris	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hopkins	Smiley
Carter, K.	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	Wright

Total - 105

**NAYS**

Total - 0

**ABSENT**

Total - 0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 84—**

BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER  
**AN ACT**

To suspend and otherwise make of no effect certain provisions of law relating to the comprehensive annual financial report and the narrative report of the state for the fiscal year ending June 30, 2005, and to provide for an extension of certain deadlines for completion and distribution; and to provide for related matters.

Read by title.

Rep. Alario sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Alario to Engrossed House Bill No. 84 by Representative Alario

**AMENDMENT NO. 1**

On page 1, line 7, change "The provisions" to "For purposes of the comprehensive annual financial report for the fiscal year ending June 30, 2005, only, the provisions"

**AMENDMENT NO. 2**

On page 1, line 13, change "The provisions" to "For purposes of the narrative report explaining the financial condition and the operations of the state for the fiscal year covered by the comprehensive annual financial report for the fiscal year ending June 30, 2005, only, the provisions"

**AMENDMENT NO. 3**

On page 1, delete lines 15 and 16, and insert "the narrative report are suspended and of no"

On motion of Rep. Alario, the amendments were adopted.

Rep. Alario moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Odinet
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Beard	Harris	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hopkins	Smiley
Carter, K.	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.—50th

Cazayoux	Jackson	Smith, J.H.–8th
Crane	Jefferson	Smith, J.R.–30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	Wright

Total - 105

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 93—**

BY REPRESENTATIVES SCALISE, ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSWORTH, AND WINSTON AND SENATORS BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHEDLER, AND THEUNISSEN

AN ACT

To amend and reenact R.S. 17:10.5(A)(1), (B), (C)(1)(a) and (2)(a)(iii) and (b)(i), and (D) and to enact R.S. 17:3973(2)(b)(v)(cc); to provide for the transfer of certain public elementary and secondary schools to the jurisdiction of the Recovery School District; to provide guidelines and conditions for such transfers; to provide definitions; to provide relative to the reorganization and operation of such transferred schools; to provide exceptions; to provide relative to the membership of governing or management boards of certain Recovery School District charter schools; to provide limitations; to provide an effective date; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Scalise, the bill was returned to the calendar.

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Scalise gave notice of his intention to call House Bill No. 93 from the calendar for future action.

**HOUSE BILL NO. 94—**

BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER  
AN ACT

To suspend and otherwise to make of no effect, for purposes of Fiscal Year 2006-2007, certain provisions of law relating to the submission of budget requests by state agencies and submission

of the executive budget and supporting document by the governor to the legislature and to provide for an extension of certain deadlines for submission; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Odinot
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Beard	Harris	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hopkins	Smiley
Carter, K.	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.–50th
Cazayoux	Jackson	Smith, J.H.–8th
Crane	Jefferson	Smith, J.R.–30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	Wright

Total - 105

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 95—**

BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER  
AN ACT

To suspend and otherwise to make of no effect, for purposes of Fiscal Year 2004-2005, the preparation of an annual report by an undersecretary with respect to activities of his office as provided in R.S. 36:8(B); and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Frith	Morrish
Alario	Gallot	Odinot
Alexander	Geymann	Pierre
Ansardi	Glover	Pinac
Arnold	Gray	Pitre
Badon	Greene	Powell, M.
Baldone	Guillory, E.	Powell, T.
Barrow	Guillory, M.	Quezaire
Baudoin	Hammett	Richmond
Baylor	Harris	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	Wright
Faucheux	Morrell	

Total - 104

**NAYS**

Total - 0

**ABSENT**

Daniel  
Total - 1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 96—**  
BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER  
AN ACT

To suspend and otherwise make of no effect, for purposes of Fiscal Year 2006-2007, the preparation of the continuation budget by the division of administration budget office as required by R.S. 39:29(A)(2); and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Odinot
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Beard	Harris	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hopkins	Smiley
Carter, K.	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	White
Durand	Martiny	Winston
Erdey	McDonald	Wooton
Fannin	McVea	Wright
Farrar	Montgomery	

Total - 104

**NAYS**

Total - 0

**ABSENT**

Walsworth  
Total - 1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Suspension of the Rules**

On motion of Rep. Alario, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

**Petitions, Memorials and Communications**

The following petitions, memorials, and communications were received and read:

**Message from the Senate****HOUSE CONCURRENT RESOLUTIONS**

November 10, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 35  
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate****ASKING CONCURRENCE IN  
SENATE CONCURRENT RESOLUTIONS**

November 10, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 5 and 19

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**House Bills and Joint Resolutions on  
Third Reading and Final Passage**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

**Regular Calendar****HOUSE BILL NO. 121—**  
BY REPRESENTATIVE CRANE AND SENATOR DUPLESSIS  
AN ACT

To amend and reenact R.S. 17:1990(A), (B)(1), (2)(a), and (4), (C)(1)(a), (2)(a), and (3), 3973(2)(b)(v)(aa), 3982(A)(1), and 3983(A)(2)(a) and to enact R.S. 17:10.7, 1990(F)(3), 3973(2)(b)(v)(cc), and 3983(A)(1)(g), relative to the Recovery School District; to provide for the transfer of certain schools to the recovery district; to provide for the operation and management of such schools; to require the development and approval of a plan for the operation of all schools transferred and to specify the contents of such plan; to provide for the duration and continuation of the transfer; to require the recovery district to make certain reports relative to the recovery district; to subject the administration of the recovery district to the approval of the State Board of Elementary and Secondary Education; to authorize the recovery district to manage and retain certain funding, including the authorization for retaining fund balances; to specify that the expenditure of certain funds by the recovery district is subject to the requirements of the approved Minimum Foundation Program formula; to provide

with regard to the authority of the recovery district to contract with for-profit providers; to provide for the exercise of limited rights of ownership over property of transferred schools by the recovery district; to provide for the transfer of certain funding to the recovery district; to provide for the process for the transfer of such funds and for a limitation on the transfer of such funds; to provide for the expenditure of certain retained funds by certain city, parish, or other local public school systems; to provide for the eligibility of a student to attend a school operated under the jurisdiction of the recovery district; to provide for the obligations of the recovery district in providing services to students; to expand the definition of a Type 5 charter school to include charters involving certain schools transferred to the recovery district; to prohibit members of certain school boards from also being members of the governing or management boards of certain Type 5 charter schools; to prohibit certain local school boards from considering or acting on Type 1 charter school applications under certain circumstances; to authorize the state Department of Education to enter into a charter to operate a charter school under certain circumstances; to provide for effectiveness; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Crane, the bill was returned to the calendar.

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Crane gave notice of his intention to call House Bill No. 121 from the calendar for future action.

**HOUSE BILL NO. 132 (Substitute for House Bill No. 12 by  
Representatives Quezairé and Salter)—**  
BY REPRESENTATIVES QUEZAIRE, SALTER, AND LAMBERT  
AN ACT

To enact R.S. 48:250.4, relative to contracts let by the Department of Transportation and Development; to authorize the Department of Transportation and Development to utilize the design-build method to construct transportation projects under certain circumstances; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Quezairé, the bill was returned to the calendar.

**Suspension of the Rules**

On motion of Rep. Ansardi, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

**HOUSE BILL NO. 90—**  
BY REPRESENTATIVES ANSARDI AND GALLOT AND SENATOR  
LENTINI  
AN ACT

To enact Chapter 1 of Code Title III of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2551 through 2565, relative to the effect of obligations during certain emergencies and disasters; to provide relative to suspension of prescription and peremptive periods; to provide for the ratification of Executive Orders KBB 2005-32, 48, and 67; to provide for the effect of suspension; to provide for termination; to provide for retroactive application; and to provide for related matters.

Called from the calendar.

Read by title.

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5th Day's Proceedings - November 10, 2005

Rep. Ansardi sent up floor amendments which were read as follows:

## HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ansardi to Engrossed House Bill No. 90 by Representative Ansardi

### AMENDMENT NO. 1

On page 1, line 5, after "periods" and before the semicolon ";" insert "and other legal deadlines; to provide relative to the extension of prescription and preemptive periods and other legal deadlines"

### AMENDMENT NO. 2

On page 1, line 5, after "provide" and before "ratification" change "for the" to "relative to the"

### AMENDMENT NO. 3

On page 1, line 6, after the semicolon ";" delete the remainder of the line and at the beginning of line 7, delete "to provide for termination;"

### AMENDMENT NO. 4

On page 2, at the end of line 4, insert "Therefore, this Chapter shall be liberally construed to effect its purposes."

### AMENDMENT NO. 5

On page 2, at the end of line 6, after "confirmed" and before the period "." insert "subject to the provisions of R.S. 9:2552 through 2554"

### AMENDMENT NO. 6

On page 2, line 7, after "Suspension" and before the semicolon ";" change "of prescription" to "and extension of prescription and peremption"

### AMENDMENT NO. 7

On page 2, line 8, after "A." and before "All" insert "(1)"

### AMENDMENT NO. 8

On page 2, line 9, after "periods" and before "subject" change "are" to "shall be"

### AMENDMENT NO. 9

On page 2, line 9, after "suspension" and before "during" insert "and/or extension"

### AMENDMENT NO. 10

On page 2, line 10, change "until" to "through" and after "suspension" and before "of" insert "and/or extension"

### AMENDMENT NO. 11

On page 2, line 11, after "periods" and before "limited" change "is" to "shall be"

### AMENDMENT NO. 12

On page 2, line 12, change "until" to "through"

### AMENDMENT NO. 13

On page 2, line 13, after "suspension" and before "shall" insert "and/or extension"

### AMENDMENT NO. 14

On page 2, line 14, change "was suspended" to "would have expired" and change "until" to "through"

### AMENDMENT NO. 15

On page 2, between lines 15 and 16, insert the following:

"(2) Provisions applicable within the jurisdiction of certain courts. Notwithstanding the provisions provided in Paragraph (1) of this Subsection, as to a district court or justice of the peace court within the parishes of Cameron, St. Bernard, or Plaquemines, a party who is domiciled within the jurisdiction of such courts, or whose cause of action arose within or an attorney who is domiciled in or has a law office within the jurisdiction of any such courts, shall have the right to seek a limited suspension and/or extension of prescription or peremption periods by contradictory motion or declaratory judgment. The party seeking the suspension and/or extension shall bear the burden of proving by clear and convincing evidence that, the motion was filed at the earliest time practicable and but for the catastrophic effects of Hurricane Katrina or Rita, the action would have been timely filed. If the court grants the motion, the prescription or preemptive period shall be suspended or extended for a period not to exceed thirty days from the date of the granting of the motion. However, in no case shall the court suspend and/or extend the prescription or peremption period beyond June 1, 2006."

### AMENDMENT NO. 16

On page 2, delete lines 20 through 23 and insert the following:

"§2553. Suspension of legal deadlines; extension of legal deadlines; contradictory hearing

A. All deadlines in legal proceedings, which were suspended by Executive Orders KBB 2005-32, 48, and 67, shall be subject to a limited suspension and/or extension during the time period of November 25, 2005, through January 3, 2006; however, the suspension and/or extension of these deadlines shall be limited and shall only apply if these deadlines would have otherwise accrued or lapsed during the time period of November 25, 2005, through January 3, 2006. This limited suspension and/or extension shall terminate on January 3, 2006, and any deadline in legal proceedings which would have expired during the time period of November 25, 2005, through January 3, 2006, shall accrue or lapse on January 4, 2006.

B. Notwithstanding the provisions of Subsection A and to the extent that deadlines in legal proceedings were not suspended by Executive Orders KBB 2005-48 and 67, if a deadline in a legal proceeding accrued or lapsed during the time period of October 25, 2005, through November 25, 2005, a party shall have the right to seek an extension or suspension of that deadline by contradictory motion or declaratory judgment. The party seeking the extension shall bear the burden of proving that either the party or his attorney was adversely affected by Hurricane Katrina or Rita and but for the catastrophic effects of Hurricane Katrina or Rita, the legal deadline would have been timely met. For good cause shown, the court shall extend the deadline in the legal proceeding, but in no instance shall the extension be later than January 3, 2006.

### §2554. Applicability

Notwithstanding any other provision of law, R.S. 9:2552 and 2553, shall not apply to landlord-tenant disputes, evictions proceedings, and lease disputes regarding immovable property, provided the proceedings are carried out in accordance with Executive Order KBB 2005-67.

§§2555-2565 (Reserved).

Section 2. (A) The provisions of this Act shall preempt and supersede but not repeal any conflicting provision of the Civil Code or any other provision of law to the extent that such provision conflicts with the provisions of this Act.

(B) However, notwithstanding the provisions of Paragraph A of this Section, nothing contained in this Act shall be construed as to invalidate, supersede, or modify the provisions of House Bill No. 92 of this 2005 First Extraordinary Session if it is subsequently enacted into law.

Section 3. The Louisiana State Law Institute is hereby directed to redesignate and renumber the provisions of this Act as follows:

A. The provisions of this Act shall be redesignated as Part IV of Code Title XXIV of Title 9 of the Louisiana Revised Statutes of 1950, and shall be renumbered sequentially, beginning with R.S. 9:5821.

B. Part IV of Code Title XXIV of Title 9 of the Louisiana Revised Statutes of 1950, as created by the provisions of this Act, shall be entitled "Suspension or Extension of Prescription, Peremption, and other legal deadlines during Hurricanes Katrina and Rita."

AMENDMENT NO. 17

On page 2, at the beginning of line 24, change "Section 2." to "Section 4."

AMENDMENT NO. 18

On page 2, at the beginning of line 26, change "Section 3." to "Section 6."

On motion of Rep. Ansardi, the amendments were adopted.

Rep. Robert Carter sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative R. Carter to Engrossed House Bill No. 90 by Representative Ansardi

AMENDMENT NO. 1

On page 2, between lines 25 and 26, insert the following:

"Section 5. The Louisiana State Law Institute shall include as notes to this Act Executive Orders KBB 2005-32, 48, and 67."

AMENDMENT NO. 2

On page 2, at the beginning of line 26, change "Section 3." to "Section 4."

On motion of Rep. Robert Carter, the amendments were adopted.

Rep. Ansardi moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinet
Alexander	Gallot	Pierre

Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Harris	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Smiley
Burrell	Hopkins	Smith, G.
Carter, K.	Hunter	Smith, J.D.-50th
Carter, R.	Hutter	Smith, J.H.-8th
Cazayoux	Jackson	Smith, J.R.-30th
Crane	Jefferson	St. Germain
Cravins	Johns	Strain
Crowe	Katz	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrell	

Total - 104  
NAYS

Total - 0  
ABSENT

Kennard  
Total - 1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Ansardi moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 132 (Substitute for House Bill No. 12 by Representatives Quezaire and Salter)—**  
BY REPRESENTATIVES QUEZAIRE, SALTER, AND LAMBERT  
AN ACT

To enact R.S. 48:250.4, relative to contracts let by the Department of Transportation and Development; to authorize the Department of Transportation and Development to utilize the design-build method to construct transportation projects under certain circumstances; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Quezaire sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Quezaire to Engrossed House Bill No. 132 by Representative Quezaire

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AMENDMENT NO. 1

On page 1, after line 14, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Rep. Quezaire, the amendments were adopted.

Rep. Lambert sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lambert to Engrossed House Bill No. 132 by Representative Quezaire

AMENDMENT NO. 1

On page 1, line 5, after "circumstances;" insert "to provide for certain requirements;"

AMENDMENT NO. 2

On page 1, at the end of line 14, insert the following:

"In selecting a design-build entity for any project authorized by this Section, the department shall comply with the provisions of R.S. 48:250.3."

On motion of Rep. Lambert, the amendments were adopted.

Rep. Daniel sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed House Bill No. 132 by Representative Quezaire

AMENDMENT NO. 1

On page 1, line 10, after "Development," delete "with approval of" and insert "after review by"

Rep. Daniel moved the adoption of the amendments.

Rep. Quezaire objected.

By a vote of 35 yeas and 69 nays, the amendments were rejected.

Rep. Quezaire moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Alario, Ansardi, Arnold, Badon, Barrow, Fannin, Farrar, Gallot, Geymann, Greene, Guillory, E., Morrell, Morrish, Odinet, Pierre, Pitre, Powell, M.

Table with 3 columns of names: Baudoine, Baylor, Bruce, Burns, Burrell, Carter, R., Cravins, Curtis, Damico, DeWitt, Doerge, Dorsey, Dove, Downs, Durand, Erdey, Guillory, M., Hammett, Harris, Heaton, Hill, Honey, Hunter, Hutter, Jefferson, Johns, Katz, Kenney, Kleckley, Lambert, McDonald, McVea, Powell, T., Quezaire, Richmond, Ritchie, Smith, G., Smith, J.D.-50th, Smith, J.R.-30th, St. Germain, Strain, Thompson, Toomy, Townsend, Tucker, Walker, Winston, Wooton

Total - 66

NAYS

Table with 3 columns of names: Alexander, Baldone, Beard, Bowler, Bruneau, Carter, K., Cazayoux, Crane, Crowe, Daniel, Fauchoux, Frith, Glover, Gray, Hebert, Hopkins, Jackson, Kennard, LaBruzzo, LaFleur, LaFonta, Lancaster, Marchand, Martiny, Montgomery, Robideaux, Romero, Scalise, Schneider, Smiley, Smith, J.H.-8th, Trahan, Triche, Waddell, Walsworth, White, Wright

Total - 37

ABSENT

Table with 2 columns of names: Dartez, Pinac

Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Quezaire moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On joint motion of Reps. Baldone, Glover, Smiley, and White, and under a suspension of the rules, the above roll call was corrected to reflect them as voting nay.

Suspension of the Rules

On motion of Rep. Dartez, and under a suspension of the rules, the above roll call was corrected to reflect her as being absent.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

SENATE BILLS

November 10, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 8, 16, and 55

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Suspension of the Rules

On motion of Rep. Bruneau, the rules were suspended in order to take up the bills contained in the message at this time.

### Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

**SENATE BILL NO. 8—**  
BY SENATOR MURRAY

AN ACT

To enact R.S. 45:859, relative to utilities; to provide that restoration and rebuilding of certain utilities is a valid public purpose; and to provide for related matters.

Read by title.

**SENATE BILL NO. 16—**

BY SENATORS SCHEDLER, BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO AND THEUNISSEN AND REPRESENTATIVES ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, T. POWELL, M. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE AND WINSTON

AN ACT

To enact R.S. 22:658(E), relative to settlement monies on claims arising under homeowners insurance policies; to require placement of monies into interesting-bearing accounts with the interest payable to the homeowner; and to provide for related matters.

Read by title.

**SENATE BILL NO. 55—**  
BY SENATOR ADLEY

AN ACT

To enact R.S. 22:667.1, relative to requiring property insurers to itemize coverages included in payments made to the insured; and to provide for related matters.

Read by title.

### Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

**HOUSE RESOLUTION NO. 8—**  
BY REPRESENTATIVE GALLOT

A RESOLUTION

To express sincere and heartfelt condolences upon the death of Lula Leonard Dunn.

Read by title.

On motion of Rep. Gallot, and under a suspension of the rules, the resolution was adopted.

**HOUSE CONCURRENT RESOLUTION NO. 36—**

BY REPRESENTATIVE JEFFERSON

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to waive the nonfederal or local portion of any cost-sharing agreement for the funding of a levee reconstruction and improvement project.

Read by title.

Lies over under the rules.

### Reports of Committees

The following reports of committees were received and read:

#### Report of the Committee on Commerce

November 10, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Commerce to submit the following report:

House Concurrent Resolution No. 12, by Bruneau  
Reported favorably. (13-0)

House Concurrent Resolution No. 26, by Pinac  
Reported favorably. (13-0)

House Bill No. 11, by Smiley  
Reported with amendments. (15-0) (Regular)

House Bill No. 75, by Jefferson  
Reported favorably. (17-0) (Regular)

GIL J. PINAC  
Chairman

#### Report of the Committee on Education

November 10, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Education to submit the following report:

House Bill No. 142, by Salter  
Reported with amendments. (13-0) (Regular)

House Bill No. 143, by Salter  
Reported with amendments. (12-0) (Regular)

CARL CRANE  
Chairman

#### Report of the Committee on Health and Welfare

November 10, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Health and Welfare to submit the following report:

House Bill No. 5, by Walker  
Reported favorably. (12-0) (Regular)

SYDNIE MAE DURAND  
Chairman

**Report of the Committee on House and Governmental Affairs**

November 10, 2005

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on November 9, 2005, I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Concurrent Resolution No. 2, by Lancaster  
Reported favorably. (8-0)

House Concurrent Resolution No. 31, by Gray  
Reported with amendments. (7-0)

House Bill No. 7, by Salter  
Reported favorably. (8-0) (Regular)

House Bill No. 9, by LaFleur  
Reported with amendments. (9-0) (Regular)

House Bill No. 51, by Bruneau  
Reported with amendments. (9-0) (Regular)

House Bill No. 59, by Jefferson  
Reported with amendments. (5-4) (Regular)

CHARLES D. LANCASTER, JR.  
Chairman

**Report of the Committee on Insurance**

November 10, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Insurance to submit the following report:

House Concurrent Resolution No. 4, by Hutter  
Reported favorably. (10-0)

House Concurrent Resolution No. 23, by K. Carter  
Reported favorably. (12-0)

House Concurrent Resolution No. 24, by K. Carter  
Reported favorably. (12-0)

KAREN CARTER  
Chair

**Report of the Committee on Retirement**

November 10, 2005

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on November 9, 2005, I am directed by your Committee on Retirement to submit the following report:

House Bill No. 17, by Hutter  
Reported favorably. (9-0) (Regular)

House Bill No. 18, by Hutter  
Reported with amendments. (7-0) (Regular)

House Bill No. 63, by Schneider  
Reported with amendments. (9-0) (Regular)

House Bill No. 120, by Schneider  
Reported with amendments. (9-0) (Regular)

House Concurrent Resolution No. 15, by Schneider  
Reported with amendments. (7-0)

House Concurrent Resolution No. 27, by Schneider  
Reported favorably. (8-0)

M.P. "PETE" SCHNEIDER III  
Chairman

**Report of the Committee on Ways and Means**

November 10, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

House Bill No. 2, by Bruneau  
Reported favorably. (12-0) (Regular)

House Bill No. 6, by Pinac  
Reported with amendments. (12-0) (Regular)

House Bill No. 42, by Hammett  
Reported with amendments. (12-0) (Regular)

House Bill No. 45, by Hammett  
Reported favorably. (12-0) (Regular)

House Bill No. 131, by Salter  
Reported favorably. (12-0) (Regular)

BRYANT O. HAMMETT, JR.  
Chairman

**Suspension of the Rules**

On motion of Rep. Dorsey, the rules were suspended in order to take up and consider House and House Concurrent Resolutions Reported by Committee at this time.

**House and House Concurrent Resolutions Reported by Committee**

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 2—**  
BY REPRESENTATIVES LANCASTER AND JEFFERSON  
A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2006 Regular Session of the Legislature of Louisiana the provisions of R.S. 18:192, which provides for the annual canvass of registered voters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Lancaster, the resolution was ordered engrossed and passed to its third reading.

**HOUSE CONCURRENT RESOLUTION NO. 4—**  
BY REPRESENTATIVE HUTTER  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to create the National Wind Insurance Program.

Read by title.

Reported favorably by the Committee on Insurance.

On motion of Rep. Karen Carter, the resolution was ordered engrossed and passed to its third reading.

**HOUSE CONCURRENT RESOLUTION NO. 12—**  
BY REPRESENTATIVES BRUNEAU, BRUCE, CROWE, DOERGE, FRITH, KLECKLEY, LAFONTA, PINAC, T. POWELL, RITCHIE, STRAIN, TRAHAN, WADDELL, AND WHITE

**A CONCURRENT RESOLUTION**

To urge and request the Office of Financial Institutions, the Federal Deposit Insurance Corporation, and the federal Office of the Comptroller of the Currency to provide flexibility for the modification of loan terms for entities and persons affected by Hurricanes Rita and Katrina.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the resolution was ordered engrossed and passed to its third reading.

**HOUSE CONCURRENT RESOLUTION NO. 15—**  
BY REPRESENTATIVE SCHNEIDER

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to take such actions as are necessary to grant for distributions from DROP accounts to active state and local government employees who are members of public retirement systems similar tax relief as that provided to members of qualified retirement plans by the Katrina Emergency Tax Relief Act of 2005 and to permit such distributions from tax-qualified plans.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Retirement to Original House Concurrent Resolution No. 15 by Representative Schneider

AMENDMENT NO. 1

On page 1, at the end of line 6, delete the period "." and add "and to permit such distributions from tax-qualified plans."

AMENDMENT NO. 2

On page 3, at the end of line 2, delete the period "." and add "and to permit such distributions from tax-qualified plans."

On motion of Rep. Schneider, the amendments were adopted.

On motion of Rep. Schneider, the resolution, as amended, was ordered engrossed and passed to its third reading.

**HOUSE CONCURRENT RESOLUTION NO. 23—**  
BY REPRESENTATIVES K. CARTER, ERDEY, FAUCHEUX, HARRIS, HEBERT, KLECKLEY, SCALISE, GARY SMITH, TOOMY, AND WALSWORTH

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to increase the coverage limit for a single-family structure under the National Flood Insurance Program from two hundred fifty thousand dollars to five hundred thousand dollars.

Read by title.

Reported favorably by the Committee on Insurance.

On motion of Rep. Karen Carter, the resolution was ordered engrossed and passed to its third reading.

**HOUSE CONCURRENT RESOLUTION NO. 24—**  
BY REPRESENTATIVES K. CARTER, BOWLER, ERDEY, FAUCHEUX, HEBERT, GARY SMITH, AND TOOMY

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana Property and Casualty Insurance Commission to study and to work to bring more insurers who write supplemental flood insurance coverage into the state of Louisiana.

Read by title.

Reported favorably by the Committee on Insurance.

On motion of Rep. Karen Carter, the resolution was ordered engrossed and passed to its third reading.

**HOUSE CONCURRENT RESOLUTION NO. 26—**  
BY REPRESENTATIVES PINAC AND LAFONTA

**A CONCURRENT RESOLUTION**

To suspend until sixty days after final adjournment of the 2005 First Extraordinary Session of the Legislature of Louisiana the provisions of R.S. 4:214.1 relative to the minimum number of live racing days.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the resolution was ordered engrossed and passed to its third reading.

**HOUSE CONCURRENT RESOLUTION NO. 27—**  
BY REPRESENTATIVE SCHNEIDER

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to take such actions as are necessary to grant to victims of Hurricane Rita similar tax relief as that provided by the Katrina Emergency Tax Relief Act of 2005, and to include distributions from DROP accounts to active state and local government employees who are members of public retirement systems and who are victims of Hurricane Katrina or Hurricane Rita as eligible retirement plan distributions, and to permit such distributions from tax-qualified plans.

Read by title.

Reported favorably by the Committee on Retirement.

On motion of Rep. Schneider, the resolution was ordered engrossed and passed to its third reading.

**HOUSE CONCURRENT RESOLUTION NO. 31—**  
BY REPRESENTATIVE GRAY

**A CONCURRENT RESOLUTION**

To strongly urge and request the Louisiana secretary of state to make every extraordinary effort and to work with other state and federal agencies to contact individuals displaced by Hurricanes Katrina and Rita in order to provide them information relative to their voting rights and how to register to vote and vote in upcoming elections

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Concurrent Resolution No. 31 by Representative Gray

AMENDMENT NO. 1

On page 1, line 18, after "national" and before "advertising" insert "public service"

AMENDMENT NO. 2

On page 1, line 18, after "implemented," and before "employing" insert "pro bono if possible,"

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the resolution, as amended, was ordered engrossed and passed to its third reading.

**Suspension of the Rules**

On motion of Rep. Hammett, the rules were suspended in order to take up House Bills contained in the committee report at this time.

**House Bills and Joint Resolutions on Second Reading Reported by Committee**

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

**HOUSE BILL NO. 2—**

BY REPRESENTATIVES BRUNEAU, PINAC, ALEXANDER, ARNOLD, BALDONE, BEARD, BOWLER, BURNS, CROWE, CURTIS, DARTEZ, DOVE, DOWNS, ERDEY, FAUCHEUX, GEYMAN, GREENE, HILL, HONEY, HUTTER, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MONTGOMERY, MORRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE, AND WINSTON AND SENATORS BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, MURRAY, QUINN, ROMERO, SCHEDLER, AND THEUNISSEN

**AN ACT**

To enact R.S. 45:859, relative to utilities; to provide that restoration and rebuilding of certain utilities is a valid public purpose; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Hammett, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 5—**

BY REPRESENTATIVE WALKER  
**AN ACT**

To enact R.S. 40:2009.4(A)(6), 2109(B)(1)(c), and 2180.2(10), relative to minimum standards for licensure for hospitals, nursing facilities, and intermediate care facilities for the mentally retarded; to provide the Department of Health and Hospitals the authority to promulgate rules for facilities located in areas subject to hurricanes, tidal surges, or flooding; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

On motion of Rep. Durand, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 6—**

BY REPRESENTATIVE PINAC  
**AN ACT**

To enact R.S. 51:1927.1(D), relative to time limits to make certain investments under the Capital Companies Tax Credit Program; to extend the time limit for making certain investments; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 6 by Representative Pinac

AMENDMENT NO. 1

On page 1, delete line 2, and insert the following:

"To enact R.S. 51:1927.1(D), relative to time limits to make certain investments"

AMENDMENT NO. 2

On page 1, delete line 7, and insert the following:

"Section 1. R.S. 51:1927.1(D) is hereby enacted to read as follows:"

AMENDMENT NO. 3

On page 1, delete lines 8 through 15 in their entirety.

AMENDMENT NO. 4

On page 2, at the end of line 2, after "to" and before the period "." delete "December 31, 2005" and insert "March 31, 2006"

On motion of Rep. Hammett, the amendments were adopted.

On motion of Rep. Hammett, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 7—**

BY REPRESENTATIVE SALTER  
**AN ACT**

To enact R.S. 24:31.4(D), relative to office expense allowances for members of the legislature; to provide for the payment of rent and other expenses for members of the legislature under certain circumstances; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Lancaster, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 9—**

BY REPRESENTATIVES LAFLEUR, CAZAYOUX, ALARIO, DEWITT, DORSEY, HAMMETT, LANCASTER, AND SALTER AND SENATORS HEITMEIER, HINES, AND MOUNT

**AN ACT**

To enact R.S. 42:1114.3, relative to disclosure; to require certain officials to disclose information to the Board of Ethics regarding certain contracts or subcontracts; to provide for the content of such disclosure; to provide for penalties; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 9 by Representative LaFleur

**AMENDMENT NO. 1**

On page 1, at the end of line 9, after "elected official" insert "or appointed state official"

**AMENDMENT NO. 2**

On page 1, delete line 10 and insert "who derives, whether directly, through his spouse, or through a legal entity in which such official or his spouse"

**AMENDMENT NO. 3**

On page 1, line 13, delete "elected official" and insert "official or his spouse"

**AMENDMENT NO. 4**

On page 1, at the beginning of line 16, after "(1)" insert "(a)"

**AMENDMENT NO. 5**

On page 1, line 16, after "elected" and before "official" insert "or appointed"

**AMENDMENT NO. 6**

On page 1, between lines 17 and 18, insert the following:

"(b) If the thing of economic value is derived through the spouse or through a legal entity in which the spouse has an ownership interest, the name and address of such person."

**AMENDMENT NO. 7**

On page 1, line 19, delete "elected official's" and insert "official's or spouse's"

**AMENDMENT NO. 8**

On page 1, line 20, delete "elected official" and insert "official or spouse"

**AMENDMENT NO. 9**

On page 2, line 5, delete "elected official" and insert "official or spouse"

**AMENDMENT NO. 10**

On page 2, line 7, after "elected" and before "official" insert "or appointed"

**AMENDMENT NO. 11**

On page 2, line 13, after "elected" and before "official" insert "or appointed"

**AMENDMENT NO. 12**

On page 2, line 15, delete "elected official" and insert "official, spouse,"

**AMENDMENT NO. 13**

On page 2, line 19, delete "elected official" and insert "official or his spouse"

**AMENDMENT NO. 14**

On page 2, line 20, delete "elected"

**AMENDMENT NO. 15**

On page 2, line 24, after "elected" and before "official" insert "or appointed"

**AMENDMENT NO. 16**

On page 2, line 28, after "elected" and before "official" insert "or appointed"

**AMENDMENT NO. 17**

On page 3, at the end of line 2, after "elected" insert "or appointed"

**AMENDMENT NO. 18**

On page 3, at the end of line 5, after "elected" insert "or appointed"

**AMENDMENT NO. 19**

On page 3, line 6, after "elected" delete "official" and insert "or appointed official or spouse thereof"

**AMENDMENT NO. 20**

On page 3, between lines 27 and 28, insert the following:

"F. For the purposes of this Section, the term "appointed state official" or "appointed official" shall mean a person holding an office in any branch of state government or other position on a state agency, board, or commission or any executive office of any state agency, board, commission, or department which is specifically established or specifically authorized by the constitution or laws of this state or by executive order of the governor and which is filled by appointment or election by an elected or appointed public official or by a governmental body composed of such officials of this state."

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 11—**

BY REPRESENTATIVES SMILEY, ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, FRITH, GEYMAN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SCHNEIDER, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE, AND WINSTON AND SENATORS BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHEDLER, AND THEUNISSEN

**AN ACT**

To amend and reenact R.S. 32:706.1 and to enact R.S. 32:702(14) and (15) and 707.3, relative to vehicles sustaining water damage from a declared disaster; to provide for definitions; to provide for disclosure before transfer; to provide for certificates of

destruction; to provide for restrictions on transfer and registration; to provide for dismantling or crushing; to provide for rules and regulations; to provide for penalties; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Original House Bill No. 11 by Representative Smiley

AMENDMENT NO. 1

On page 1, at the beginning of line 6, insert "dismantling or"

AMENDMENT NO. 2

On page 3, line 28, after "shall be" insert "dismantled, sold for parts, and" and delete line 29 in its entirety

On motion of Rep. Pinac, the amendments were adopted.

On motion of Rep. Pinac, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 17—**

BY REPRESENTATIVE HUTTER  
AN ACT

To amend and reenact R.S. 11:281(B), relative to delinquent contributions to certain public retirement systems; to waive interest on certain delinquent contributions during a gubernatorially declared disaster or emergency; to provide limitations and an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

On motion of Rep. Schneider, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 18—**

BY REPRESENTATIVE HUTTER  
AN ACT

To amend and reenact R.S. 11:163(A) and (C), relative to retirement service and salary credit for public employees on involuntary furlough or leave without pay; to allow certain employees to continue to earn service and salary credit by payment of retirement contributions while on such furlough or leave; to provide limitations; to provide for implementation; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Retirement to Original House Bill No. 18 by Representative Hutter

AMENDMENT NO. 1

On page 2, line 5, after "ending on" and before "2006," change "December 31," to "June 30."

On motion of Rep. Schneider, the amendments were adopted.

On motion of Rep. Schneider, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 42—**

BY REPRESENTATIVES HAMMETT AND PINAC  
AN ACT

To enact R.S. 47:305.54, relative to the state sales and use tax; to enact the 2005 Louisiana Sales Tax Holiday Act; to provide that the state sales and use tax shall not apply to consumer purchases of tangible personal property for non-business use on a certain date from certain selling dealers; to provide restrictions on the types and cost of purchases that are eligible for exemption; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 42 by Representative Hammett

AMENDMENT NO. 1

On page 1, change the lead authors from "HAMMETT AND PINAC" to "MONTGOMERY AND ARNOLD"

AMENDMENT NO. 2

On page 1, line 5, between "from" and "selling" insert "certain"

AMENDMENT NO. 3

On page 1, line 15, delete "December 10" and insert "December 9, 10, and 11"

AMENDMENT NO. 4

On page 2, line 3, delete "December 10" and insert "December 9, 10, and 11"

AMENDMENT NO. 5

On page 2, line 11, delete "December 10" and insert "December 9, 10, and 11"

AMENDMENT NO. 6

On page 2, line 14, delete "10" and insert "9, 10, and 11"

AMENDMENT NO. 7

On page 2, line 15, delete "December 10" and insert "December 9, 10, and 11"

AMENDMENT NO. 8

On page 2, line 19, delete "December 10" and insert "December 11"

AMENDMENT NO. 9

On page 2, line 20, delete "December 10" and insert "December 9, 10, and 11"

AMENDMENT NO. 10

On page 2, line 21, delete "December 10" and insert "December 11"

AMENDMENT NO. 11

On page 2, line 24, delete "December 10" and insert "December 11"

AMENDMENT NO. 12

On page 2, line 25, delete "December 10" and insert "December 9, 10, and 11"

AMENDMENT NO. 13

On page 3, line 4, delete "December 10" and insert "December 11"

AMENDMENT NO. 14

On page 3, between lines 9 and 10, insert the following:

"H. Participation by dealers in the 2005 Louisiana sales tax holiday is optional, provided that any dealer who chooses to participate must allow the exemption provided by the Act on all eligible sales of tangible personal property to all eligible non-business customers."

On motion of Rep. Hammett, the amendments were adopted.

On motion of Rep. Hammett, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 45—**

BY REPRESENTATIVES HAMMETT AND PINAC  
AN ACT

To amend and reenact R.S. 47:1508(B)(1), relative to the furnishing of tax information to the taxpayer or his duly authorized representative; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Hammett, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 51—**

BY REPRESENTATIVES BRUNEAU, ALEXANDER, BEARD, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE, AND WINSTON AND SENATORS CAIN, BARHAM, BOASSO, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHEDLER, AND THEUNISSEN

AN ACT

To enact R.S. 42:1114.3, relative to the receipt of any thing of economic value from certain contracts and subcontracts; to require certain officials to disclose certain information to the Board of Ethics regarding certain contracts and subcontracts; to provide for the content of such disclosure; to provide for certain prohibitions; to provide for penalties; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 51 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 3, after "subcontracts;" delete the remainder of the line and delete line 4 and insert the following:

"to require certain officials to disclose certain information to the Board of Ethics regarding certain contracts"

AMENDMENT NO. 2

On page 1, delete lines 10 through 12 and insert the following:

"A. Except as provided in Subsection B of this Section, each elected official or appointed state official who derives, whether directly, through his spouse, or through a legal entity in which such official or his spouse owns ten percent or more, any thing of economic value through any"

AMENDMENT NO. 3

On page 1, line 14, delete "immediate family member" and insert "his spouse"

AMENDMENT NO. 4

On page 2, delete lines 3 through 7 and insert the following:

"(1)(a) The name and address of the elected or appointed official and the office held by such person.

(b) If the thing of economic value is derived through the spouse or through a legal entity in which the spouse has an ownership interest, the name and address of such person."

AMENDMENT NO. 5

On page 2, line 9, delete "immediate family member's" and insert "spouse's"

AMENDMENT NO. 6

On page 2, at the end of line 10, delete "immediate" and at the beginning of line 11, delete "family member" and insert "spouse"

AMENDMENT NO. 7

On page 2, line 16, delete "immediate family member" and insert "spouse"

AMENDMENT NO. 8

On page 2, line 17, delete "six months," and insert "calendar year."

AMENDMENT NO. 9

On page 2, between lines 17 and 18, insert the following:

"B. No elected or appointed official shall be required to disclose the receipt of any thing of economic value pursuant to this Section when the value of the thing of economic value is two thousand five

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hundred dollars or less. However, no person shall enter into separate contracts or subcontracts valued at two thousand five hundred dollars or less with the same person or governmental entity or agency thereof as a subterfuge to avoid the disclosure requirements of this Section."

## AMENDMENT NO. 10

On page 2, delete line 18 and insert the following:

"C. Each elected or appointed official subject to the"

## AMENDMENT NO. 11

On page 2, delete line 24 and at the beginning of line 25, delete "family member" and insert the following:

"spouse for the previous calendar year, the official"

## AMENDMENT NO. 12

On page 3, delete lines 1 through 14 and insert the following:

"D.(1) After filing the initial disclosure statement, the elected or appointed official shall file the disclosure statements required by this Section with the Board of Ethics no later than February fifteenth each year and shall include such information for the previous calendar year.

(2) An elected or appointed official subject to the provisions of this Section shall be required to file the annual disclosure statements required by this Section until a disclosure statement is filed after the completion of the contract or subcontract subject to disclosure or the person filing the disclosure statements is no longer an elected or appointed official, whichever occurs first.

(3) Disclosure statements shall not be required for the receipt of things of economic value pursuant to contracts or subcontracts entered into prior to an elected or appointed official taking office; however, no such contract or subcontract shall be renewed after the official takes office."

## AMENDMENT NO. 13

On page 3, at the beginning of line 17, change "D.(1)" to "E.(1)"

## AMENDMENT NO. 14

On page 3, at the beginning of line 26, change "E." to "F."

## AMENDMENT NO. 15

On page 3, line 26, after "through" and before "of this" change "D" to "E"

## AMENDMENT NO. 16

On page 3, delete line 29 and on page 4, delete line 1 and insert the following:

"or appointed official, spouse of an elected or appointed official, or legal entity in which such a person owns ten percent or more shall"

## AMENDMENT NO. 17

On page 4, line 3, delete "immediate family member" and insert "his spouse"

## AMENDMENT NO. 18

On page 4, between lines 5 and 6, insert the following:

"G. For the purposes of this Section, the term "appointed state official" or "appointed official" shall mean a person holding an office in any branch of state government or other position on a state agency, board, or commission or any executive office of any state agency, board, commission, or department which is specifically established or specifically authorized by the constitution or laws of this state or by executive order of the governor and which is filled by appointment or election by an elected or appointed public official or by a governmental body composed of such officials of this state."

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 59—**

BY REPRESENTATIVE JEFFERSON  
AN ACT

To enact R.S. 18:115(F)(2)(d) and 425(A)(4), relative to the conduct of elections during or following a gubernatorially declared state of emergency; to provide for certain displaced persons who have registered to vote by mail by a certain date to vote absentee by mail; to require an affidavit attesting to the voter's eligibility; to provide for the effectiveness of such provisions; to provide relative to a parishwide shortage of commissioners due to an emergency; to authorize commissioners from other parishes to serve in the affected parish; to provide relative to selection, training, and certain expenses of such commissioners; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

## **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 59 by Representative Jefferson

### AMENDMENT NO. 1

On page 1, line 3, after "provide for" and before "displaced" insert "certain"

### AMENDMENT NO. 2

On page 1, line 4, after "vote by mail" and before "to vote absentee" insert "by a certain date"

### AMENDMENT NO. 3

On page 1, delete line 5 and insert "an affidavit attesting to the voter's eligibility; to provide for the effectiveness of"

### AMENDMENT NO. 4

On page 1, line 8, after "relative to selection" delete the remainder of the line and insert a comma "," and insert "training, and certain expenses of such commissioners;"

### AMENDMENT NO. 5

On page 1, line 19, delete line 19 and insert the following:

"(d)(i) The Legislature of Louisiana recognizes that due to a recent common disaster and state of emergency in our state, an unprecedented number of persons have been temporarily displaced from their parishes of residence for an indefinite period of time. Because the right to vote is a right that is essential to the effective operation of a democratic government, the legislature finds that the

state has a compelling interest in securing the right to vote for any person temporarily displaced by a disaster or emergency who may experience greater difficulty exercising his right due to his displaced status. The legislature, therefore, enacts this Subparagraph, which shall apply to any person temporarily displaced from his parish of"

#### AMENDMENT NO. 6

On page 1, line 20, after "state of emergency," and before "when he submits" insert "who registered to vote on or before September 24, 2005."

#### AMENDMENT NO. 7

On page 2, line 1, after "vote by mail" delete the remainder of the line and delete lines 2 and 3 and insert "an affidavit attesting that he is temporarily displaced from his parish of residence, that he is eligible to vote in his parish of residence, and that he expects to be out of his parish of registration during early voting and on election day. The provisions of this"

#### AMENDMENT NO. 8

On page 2, line 4, after "following the" delete the remainder of the line and delete lines 5 through 10 and insert the following:

"effective date of this Item.

(ii) Upon expiration of Item (i) of this Subparagraph, any voter who has voted absentee by mail pursuant to this Subparagraph who has not voted during early voting or at the polls on election day shall not be considered to have previously voted in the parish in which he is registered for purposes of Paragraph (1) of this Subsection and shall be subject to the requirements of that Paragraph."

#### AMENDMENT NO. 9

On page 2, line 15, after "an election held" delete the remainder of the line and insert "within one year following the date of the issuance of any gubernatorial proclamation declaring a state"

#### AMENDMENT NO. 10

On page 2, line 16, change "clerk of court" to "parish board of election supervisors"

#### AMENDMENT NO. 11

On page 2, line 18, change "clerk" to "board"

#### AMENDMENT NO. 12

On page 2, line 24, after "secretary of state" delete the remainder of the line and delete lines 25 through 29 and on page 3, delete lines 1 and 2 and insert the following:

"shall approve the request and notify the parish board of election supervisors of the affected parish. The board of the affected parish shall request the parish boards of election supervisors to submit lists of available commissioners by the fifteenth day prior to the election. The board of the affected parish shall select commissioners to serve in the affected parish from such lists based on availability, proximity, and to the extent possible, the requirements for representation based on recognized political party affiliation as provided for in R.S. 18:434(B)(7). The clerk of court of the affected parish shall ensure that the selected commissioners have received adequate training on the voting machines that are used in the affected parish, and on any procedures necessary for the conduct of the election. The selected commissioners, upon approval of the secretary of state, shall be entitled to appropriate reimbursement for travel expenses."

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 63—

BY REPRESENTATIVES SCHNEIDER, ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMANN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE, AND WINSTON AND SENATORS BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHEDLER, AND THEUNISSEN

#### AN ACT

To enact Subpart O of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:321, relative to Deferred Retirement Option Plans of public retirement systems in the state; to allow certain plan participants who have not separated from service to withdraw the monies in their plan accounts; to provide relative to such monies for income tax purposes; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Original House Bill No. 63 by Representative Schneider

#### AMENDMENT NO. 1

On page 2, between lines 27 and 28, insert the following:

"(3) Each retirement system shall advise each individual receiving a Hurricane Katrina distribution pursuant to this Subpart of potential state and federal tax consequences."

On motion of Rep. Schneider, the amendments were adopted.

On motion of Rep. Schneider, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 75—

BY REPRESENTATIVE JEFFERSON

#### AN ACT

To enact R.S. 6:242(A)(18), relative to banking powers; to provide for investments to promote public welfare in low-income communities affected by Hurricanes Katrina and Rita; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 120—

BY REPRESENTATIVE SCHNEIDER

#### AN ACT

To enact Subpart O of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:321, relative to Deferred Retirement Option Plans of public retirement systems in the state; to allow certain plan participants who have not separated from service to withdraw the monies in their plan accounts; to provide relative to such monies for

income tax purposes; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Retirement to Original House Bill No. 120 by Representative Schneider

**AMENDMENT NO. 1**

On page 2, between lines 22 and 23, insert the following:

"(3) Each retirement system shall advise each individual receiving a Hurricane Rita distribution pursuant to this Subpart of potential state and federal tax consequences."

On motion of Rep. Schneider, the amendments were adopted.

On motion of Rep. Schneider, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 131—**

BY REPRESENTATIVES SALTER, DURAND, ALARIO, DEWITT, DORSEY, AND HAMMETT AND SENATORS HEITMEIER, HINES, AND MOUNT

**AN ACT**

To amend and reenact Section 5 of Act 182 of the 2005 Regular Session of the Legislature, relative to state fees; to provide for the effective date of the Healthcare Affordability Act; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Hammett, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 142—**

BY REPRESENTATIVE SALTER

**AN ACT**

To enact R.S. 17:3048.6, relative to continuing eligibility requirements for Tuition Opportunity Program for Students' awards applicable to students displaced as a consequence of certain natural disasters; to provide legislative findings; to provide definitions; to provide waivers and exceptions to certain program requirements and conditions; to provide applicability; to provide limitations; to provide relative to the authority of the Louisiana Student Financial Assistance Commission, including but not limited to requiring the adoption of certain rules relative to program waivers and exceptions; to provide legislative oversight; to provide for implementation; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Education to Original House Bill No. 142 by Representative Salter

**AMENDMENT NO. 1**

On page 2, line 11, after "Davis," and before "Terrebonne," insert "St. Mary,"

On page 2, line 22, after "(viii)" and before "Lady" change "Out" to "Our"

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 143—**

BY REPRESENTATIVE SALTER

**AN ACT**

To enact R.S. 17:3048.6, relative to initial eligibility requirements for Tuition Opportunity Program for Students awards applicable to students displaced as a consequence of certain natural disasters; to provide legislative findings; to provide definitions; to provide waivers and exceptions to certain program requirements and conditions; to provide applicability; to provide limitations; to provide relative to the authority of the Louisiana Student Financial Assistance Commission, including but not limited to requiring the adoption of certain rules relative to program waivers and exceptions; to provide for legislative oversight; to provide for implementation; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Education to Original House Bill No. 143 by Representative Salter

**AMENDMENT NO. 1**

On page 2, line 17, after "Davis," and before "Terrebonne," insert "St. Mary,"

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**Petitions, Memorials and Communications**

The following petitions, memorials, and communications were received and read:

**Message from the Senate**

**SIGNED SENATE CONCURRENT RESOLUTIONS**

November 10, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 4

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

**Privileged Report of the Committee on Enrollment**

November 10, 2005

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

**HOUSE CONCURRENT RESOLUTION NO. 30—**

BY REPRESENTATIVE MARTINY

**A CONCURRENT RESOLUTION**

To commend James M. "Jim" Hudson upon being named a Community Banker of the Year.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

**Suspension of the Rules**

On motion of Rep. Hunter, the rules were suspended to permit the Committee on Labor and Industrial Relations to meet and consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

Senate Bill No. 10

**Leave of Absence**

Rep. Triche - 1/2 day

**Adjournment**

On motion of Rep. Kenney, at 7:50 P.M., the House agreed to adjourn until Friday, November 11, 2005, at 3:00 P.M.

The Speaker of the House declared the House adjourned until 3:00 P.M., Friday, November 11, 2005.

ALFRED W. SPEER  
Clerk of the House

